

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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UNITED STATES OF AMERICA,

-against-

JONATHAN COLON,

Defendant.

1:20-cr-213 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

On January 7, 2022, Defendant Colon was sentenced principally to a below-Guidelines term of imprisonment of 200 months, to be followed by three years of supervised release.

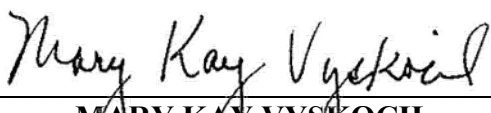
On April 19, 2024, Defendant Colon filed a motion requesting that this Court appoint him counsel to consider whether he is entitled to a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendments which went into effect on November 1, 2023 and applies retroactively. The United States Probation Department has issued a report indicating that Defendant is not eligible for a sentence reduction. [*See* ECF No. 299].

The Court has considered the record in this case, and the submissions on this motion filed by Defendant [ECF No. 295] and the Government [ECF No. 297].

It is hereby ORDERED that the Defendant is ineligible for this reduction because the offense for which Defendant was convicted resulted in death, *see* U.S.S.G. § 4C1.1(a)(4), and because Defendant already received a sentence lower than what the potential amended sentence range would be if the Amendment were applicable. *see* U.S.S.G. § 1B1.10(b)(2)(a). Accordingly, this motion is DENIED.

SO ORDERED.

Dated: May 29, 2024
New York, New York



MARY KAY VYSKOCIL
United States District Judge